

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 09/920,746

REMARKS

Applicants thank the Examiner for acknowledging their claim to priority under 35 U.S.C. § 119, and receipt of a certified copy of the priority document.

Applicants further thank the Examiner for acknowledging acceptance of the drawings.

Claims 1-35 are all the claims pending in the application.

Claims 1-35 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Murata (U.S. Published Patent Application No. US 2004/0096220 A1). Applicants traverse the rejection of claims 1-35 for at least the reasons discussed below.

The Examiner has agreed that Murata does not disclose the recited feature that at least some of the data of the second type is derived from data of the first type in only one of the channels. However, the Examiner has asserted that Murata's advantage is that the transmission system can correct errors at the receiver without increasing the transmission rate of the data, and that it would have been obvious to a skilled artisan to enhance a one data channel system, where the error correction channel of Murata is created from only one data channel. Applicants respectfully disagree.

First, with respect to independent claim 1, Murata does not suggest in any way that deriving error correction channel from only one data channel is desired. In the system shown in Figs. 2 and 3 of Murata, an encoder 5 has exclusive-OR logic circuits 15-1, 15-2 and 15-3. The inputs of each of the logic circuits are connected to three out of four data channels D1-D4. From three input bits of a data frame, each of which is from one of data channels D1-D4, the encoder 5

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generates three error correction bits D5 to D7. The phases of bits D1-D7 are aligned at a phase alignment unit 6.

In the system shown in Fig. 5 of Murata, a parity generator 25 calculates a parity bit for k bits of transmission data and outputs the calculated parity bit together with the k bit transmission data to a phase alignment unit 26.

Although Murata mentions that other coding scheme could be used, it does not suggest that coding data from only one of several data channels is desirable.

Murata states that its advantage is that the transmission system can correct errors at the receiver without increasing the transmission rate of the data. Murata, however, realizes the advantage by generating error correction bits or a parity bit from data on several channels. Murata does not suggest that generating error correction bits or the parity bit from data on only one of several channels could help to realize its advantage.

In fact, in the system shown in Fig. 5 of Murata, there is only one channel used for data correction. Modifying Murata from generating a parity bit from data on several channels to generating the parity bit from data on only one of several channels does not help to limit the data transmission rate. There is no reason for a skilled artisan to modify Murata the way the Examiner has suggested.

The only motivation for making the modification suggested by the Examiner would be to satisfy the claim language of the present application, but this is improper hindsight.

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Second, if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the reference are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). Here, in Murata, the error correction bit or parity bit is generated from data from several channels, and then phase aligned with the data on the data channels. Modifying Murata in the way suggested by the Examiner would change the principle of operation of the Murata.

Based on the foregoing reasons, Applicants submit that Murata fails to teach or suggest all of the claimed elements as arranged in claim 1. Thus, Applicants submit that claim 1 is allowable, and further submit that claims 2-15 are allowable as well, at least by virtue of their dependency from claim 1. Applicants respectfully request that the Patent Office reconsider and withdraw the § 103(a) rejection of claims 1-15.

With respect to independent claim 16, Applicants submit that claim 16 is allowable for at least reasons analogous to those discussed above with respect to claim 1. Thus, Applicants submit that claim 16 is allowable, and further submit that claims 17-23 are allowable as well, at least by virtue of their dependency from claim 16. Applicants respectfully request that the Patent Office reconsider and withdraw the § 103(a) rejection of claims 16-23.

With respect to independent claim 24, Applicants submit that claim 24 is allowable for at least reasons analogous to those discussed above with respect to claim 1. Thus, Applicants submit that claim 24 is allowable, and further submit that claims 25-31 are allowable as well, at

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least by virtue of their dependency from claim 24. Applicants respectfully request that the Patent Office reconsider and withdraw the § 103(a) rejection of claims 24-31.

With respect to independent claim 32, Applicants submit that claim 32 is allowable for at least reasons analogous to those discussed above with respect to claim 1. Thus, Applicants submit that claim 32 is allowable, and further submit that claim 33 is allowable as well, at least by virtue of its dependency from claim 32. Applicants respectfully request that the Patent Office reconsider and withdraw the § 103(a) rejection of claims 32 and 33.

With respect to independent claims 34 and 35, Applicants submit that claims 34 and 35 are allowable for at least reasons analogous to those discussed above with respect to claim 1. Thus, Applicants submit that claims 34 and 35 are allowable, and respectfully request that the Patent Office reconsider and withdraw the § 103(a) rejection of claims 34 and 35.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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PATENT APPLICATION

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Respectfully submitted,



Paul J. Wilson
Registration No. 45,879

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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